Community Corrections and the Role of Volunteers in ASEAN Countries

1. Introduction

2. Overview of Community Corrections in ASEAN Countries

3. Community Involvement in ASEAN Countries

4. Japanese Community Corrections - Cooperation with Private Citizens -
UNAFEI was established in 1962 by agreement between the United Nations and the Government of Japan with the aim of promoting the sound development of criminal justice systems and mutual cooperation in the Asia-Pacific Region.

Our missions are to provide training courses and seminars for personnel in crime prevention and criminal justice administration and to research and study crime prevention and the treatment of offenders.

**Establishment**
- Adopted by UN General Assembly (resolution 45/110, December 1990)

**Fundamental aims**
- Widest possible use of non-custodial measures
- Strengthening community involvement
- Implementation in a fair and just manner
- Protecting the human rights of offenders
### UNAFEI’s Recent Activities
#### Promoting Community Corrections

<table>
<thead>
<tr>
<th>No.</th>
<th>Activity</th>
<th>Details</th>
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<tbody>
<tr>
<td>a)</td>
<td>UNAFEI’s Annual Training Course</td>
<td>(5-6 weeks)</td>
</tr>
<tr>
<td>b)</td>
<td>Volunteer Probation Officers International Seminar</td>
<td>(2 days, Held during Annual Training Course)</td>
</tr>
<tr>
<td>d)</td>
<td>Seminar on Promoting Community-based Treatment in the ASEAN Region</td>
<td>(2015, 2016)</td>
</tr>
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<td>e)</td>
<td>Tokyo Rules 25th Anniversary Seminar</td>
<td>(September 2015)</td>
</tr>
<tr>
<td>f)</td>
<td>Training Programme for CLMV Countries</td>
<td>(2017-)</td>
</tr>
<tr>
<td>g)</td>
<td>The Third World Congress on Probation</td>
<td>(Sep. 2017)</td>
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### 2. Overview of Community Corrections in the ASEAN Countries
ASEAN (The Association of Southeast Asian Nations)

Population (2015)

<table>
<thead>
<tr>
<th>Territory</th>
<th>Population (2015)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASEAN (10 countries)</td>
<td>633 m</td>
</tr>
<tr>
<td>ASEAN + 3 (China, Japan, South Korea)</td>
<td>2,240 m</td>
</tr>
<tr>
<td>World</td>
<td>7,383 m</td>
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</table>

Prison Population and Occupancy Rate in the ASEAN Countries

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (2015)</th>
<th>Prison Population Rates per 100,000</th>
<th>Occupancy Level (%)</th>
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<tbody>
<tr>
<td>Brunei</td>
<td>0.42 m</td>
<td>134</td>
<td>132.8</td>
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<tr>
<td>Cambodia</td>
<td>15.5 m</td>
<td>159</td>
<td>206.1</td>
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<tr>
<td>Indonesia</td>
<td>258 m</td>
<td>86</td>
<td>182.7</td>
</tr>
<tr>
<td>Laos</td>
<td>6.7 m</td>
<td>119</td>
<td>-</td>
</tr>
<tr>
<td>Malaysia</td>
<td>31 m</td>
<td>167</td>
<td>113.9</td>
</tr>
<tr>
<td>Myanmar</td>
<td>52 m</td>
<td>128</td>
<td>144.3</td>
</tr>
<tr>
<td>Philippines</td>
<td>102 m</td>
<td>172</td>
<td>436.0</td>
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<tr>
<td>Singapore</td>
<td>5.5 m</td>
<td>222</td>
<td>79.2</td>
</tr>
<tr>
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<td>68.7 m</td>
<td>455</td>
<td>144.8</td>
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<tr>
<td>Vietnam</td>
<td>93.6 m</td>
<td>139</td>
<td>-</td>
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<tr>
<td>(Japan)</td>
<td>128 m</td>
<td>45</td>
<td>66.8</td>
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</table>

Source: UN Population Division, World Prison Brief

<table>
<thead>
<tr>
<th>Country</th>
<th>Year Est.</th>
<th>Responsible Organization(s)</th>
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<tbody>
<tr>
<td>Brunei</td>
<td>2010</td>
<td>*Ministry of Culture, Youth and Sports</td>
</tr>
<tr>
<td>Cambodia</td>
<td>-</td>
<td>(Inter-Ministerial WG (2011))</td>
</tr>
<tr>
<td>Indonesia</td>
<td>1970</td>
<td>*Ministry of Law and Human Rights</td>
</tr>
<tr>
<td>Lao PDR</td>
<td>-</td>
<td>*Ministry of Justice, Ministry of Public Security</td>
</tr>
<tr>
<td>Malaysia</td>
<td>1947 (juvenile), 2008 (adult)</td>
<td>*Ministry of Women, Family and Community Development</td>
</tr>
<tr>
<td>*Ministry of Home Affairs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myanmar</td>
<td>1993 (juvenile)</td>
<td>*Ministry of Social Welfare, Relief and Resettlement</td>
</tr>
<tr>
<td>*Ministry of Home Affairs</td>
<td></td>
<td></td>
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<tr>
<td>Philippines</td>
<td>1978</td>
<td>*Department of Justice</td>
</tr>
<tr>
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<td>1947 (juvenile), 1990's (adult)</td>
<td>*Ministry of Social and Family Development (MSF)</td>
</tr>
<tr>
<td>*Ministry of Home Affairs (SPS)</td>
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<td></td>
</tr>
<tr>
<td>Thailand</td>
<td>1979</td>
<td>*Ministry of Justice</td>
</tr>
<tr>
<td>*Commune People's Committee (CPC) - Local government</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Japan)</td>
<td>1949</td>
<td>*Ministry of Justice</td>
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...
Aims of Community Corrections

- Punishment
- Public Safety
- Preventing recidivism
- Monitoring
- Rehabilitation
- Social welfare
- Protection
- Education

Implementation of Certain Non-Custodial Measures in the ASEAN Countries

<table>
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</tr>
<tr>
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</table>

Types of Community Corrections (Post-sentencing Stage)

- Probation (many)
- Parole, Conditional Release (many)
- Conditional Pardon / Remission (E.g., Philippines, Singapore, Thailand)
- Community Service (many)
- Day Reporting Order (Singapore)
- Re-education in the community (Laos)
- Home Detention (Laos, Singapore)
- Mandatory Supervision after Release (Singapore)
- Specific Measures for Drug-use Offenders
### Serious Drug-related Offences

- Opiates/Opioids, Methamphetamine, Cannabis and Heroine are common in ASEAN countries
- High percentage of drug-related inmates
  - E.g., Singapore, Thailand
- Avoiding criminal justice system for first-time drug-use offenders
- Specific legislation and national agencies for drug control and treatment

### Primary Measures for the Rehabilitation of Drug Offenders

| A. Introduction of the Partial-Suspended-Execution-of-Sentence System |
| B. Effective Treatment Program for Drug Use Offenders |
| C. Development of Community Resources and Aftercare for Drug Users |
When a court orders a sentence of imprisonment of up to three years, a part of the sentence can be suspended for one to five years.

An example of partial suspended execution of sentence

(Example)
Imprisonment for 3 years, with 1 year of imprisonment suspended for 2 years

For drug offenders:

Even if they are repeat inmates, this type of sentence can be applied.

Repeat inmates must be placed on probationary supervision when released from imprisonment.

Sufficient time is allocated to assist drug offenders to rehabilitate in the community after being released from penal institutions.
B Drug Relapse Prevention Program (DRP program)

Educational course

Drug tests

Educational course:
• Based on CBT (cognitive behavioral therapy)
• One-to-one or in groups
• Core program + Step-up program
  -- Core program - 5 sessions
  -- Step-up program - every month after 5 sessions

Core program
1st session: “Learn about drug dependence”
2nd session: “Triggers and desire”
3rd session: “Triggers and anchors”
4th session: “What is ‘relapse’?”
5th session: “Be wise rather than strong”

(Develop a relapse prevention plan for not abusing drugs again)
Drug tests:
• Drug tests are provided to encourage the efforts of drug offenders (NOT to control them).
• There are two types of tests:
  - urine test
  - saliva test

• Psychiatrists
• Staff of medical or health institutes
• Persons who have recovered from drug-dependency

are invited to participate in the DRP program as co-facilitators, if necessary

C “Guidelines for Community Care and Support for Drug Dependent Offenders Released from Penal Institutions etc.” (2015)

Joint guideline by Ministry of Justice & Ministry of Health, Labour and Welfare
Under these guidelines, every relevant organization is expected to...

- Understand that drug dependence is not only a criminal behavior but also requires medical or psychological treatment.
- Actively cooperate with each other for the rehabilitation of drug offenders according to their own functions and roles.

and so on...

**Conditions of Probation/Parole (Examples)**

- Report to probation officers / volunteers
- Engage in community service activities
- Engage in work / school
- Keep stable residence
- Restraining orders
- Receive medial treatment
- Drug testing
- Curfew
- Completion of treatment programmes
- Prohibited to possess camera-phones
- Victim compensation / restitution
- Electronic monitoring (Singapore, Thailand)

**The Roles of Probation Officers (Examples)**

- **Social investigation**
  - Pre-sentence / pre-release
- **Supervision and assistance**
  - Risk/needs assessment
  - Making treatment plans
  - Interviews, home visit
  - Group work (e.g., community service, RJ)
  - Breach(revocation) actions
  - Liaising with other related agencies (employment, residence, welfare, medical care, etc.)
  - Electronic monitoring

- **Crime prevention activities**
Challenges of ASEAN Countries

- No Organization/Structure (Cambodia, Laos)
- No Specific Legislation (Indonesia, Myanmar)
- Lack of Financial and Human Resources (Many)
- Lack of Professional Skills and Knowledge (Brunei, Philippines)
- High Caseload (Philippines, Thailand)
- Lack of Supervision, Support of Offenders (Myanmar, Viet Nam)
- Public Resistance against Offenders (Many)
- Lack of Evaluation (Brunei, Philippines, Singapore)

Recent Development of Community Corrections

Examples:

- **Indonesia**
  - Establishment of Juvenile Justice System Act (2012)
  - Implementation of Diversion & Restorative Justice
- **Malaysia**
  - Parole (2008), Halfway Houses (2010)
- **Thailand**
  - Amendment of Penal Code (2016)
  - Eligible offenders for probation are expanded
  - Establishment of Probation Act (2016)
- **Singapore**
  - Amendment of Prison Act and Criminal Procedure Code → New Community Sentence, etc. (2011, 2014)
- **Viet Nam**
  - Parole was introduced based on New Penal Code (2015)

Summary

- Prison overcrowding in some countries
- Drug offences are serious problems in many countries
- Gap in the level of implementation and responsible organization
- ASEAN countries is developing community corrections continuously
3. Community involvement in ASEAN countries

<table>
<thead>
<tr>
<th>Country</th>
<th>Cases of Supervision</th>
<th>No. of Probation Officers</th>
<th>Est. Caseload per officer</th>
<th>No. of Volunteers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brunei</td>
<td>18</td>
<td>4</td>
<td>4.5</td>
<td></td>
</tr>
<tr>
<td>Cambodia</td>
<td>-</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Indonesia</td>
<td>62,978</td>
<td>970</td>
<td>64.9</td>
<td>-</td>
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<td>Lao PDR</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Malaysia</td>
<td>(Juvenile) 5,152</td>
<td>700</td>
<td>7.4 (Est.) 1,400</td>
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<tr>
<td></td>
<td>(Adult) 2,896</td>
<td>738</td>
<td>3.9</td>
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<td>Myanmar</td>
<td>211</td>
<td>52</td>
<td>6.6</td>
<td>126</td>
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<td>43,796</td>
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<td>3,633</td>
<td>89</td>
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<td>(Adult) 1,500</td>
<td>200</td>
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<tr>
<td>(Japan)</td>
<td>33,394</td>
<td>Approx. 1,000</td>
<td>33.4</td>
<td>47,909</td>
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Source: Papers and Presentations of Countries at UNAFEI’s Seminar

Volunteer Probation Officers and Similar Volunteers in ASEAN Countries

<table>
<thead>
<tr>
<th>Year Est.</th>
<th>Name</th>
<th>Number</th>
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<tr>
<td>Malaysia</td>
<td>Child Welfare Committee (Child Act 2001)</td>
<td>Estimate 1,400</td>
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<tr>
<td>Philippines</td>
<td>Volunteer Probation Assistant (Probation Act 1976)</td>
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<td>Singapore</td>
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<td>Thailand</td>
<td>Volunteer Probation Officer (Probation Act 2016)</td>
<td>23,941</td>
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<tr>
<td>(Japan)</td>
<td>Volunteer Probation Officer (Volunteer Probation Officers Act 1950)</td>
<td>47,909</td>
</tr>
</tbody>
</table>

In Myanmar, 126 "Volunteer Social Welfare Officers" assist Probation Officers (juvenile only)
**Various Roles of VPOs**

- **Casework**
  - Pre-Sentence / Post-Sentence Investigation
  - Supervising, Mentoring, Befriending, Counseling, Guidance
  - Curfew Check, Academic support
  - (Teaching for Offenders' children (China))

- **Group Activities**
  - Community Service
  - Therapeutic Community, Restorative Justice (Philippines)
  - Facilitation of Workshops (Singapore)
  - Group tuition (Singapore)

- **Liaising with Related Agencies**

- **Financial Support**
  - Scholarship, Medical Support, Vocational Training

- **Crime Prevention Activities**

- **Enhancing Public Awareness**

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**Challenges and Responses**

* Secure Adequate VPOs (Aging, Early Retirement)*
  - Recruitment of younger VPOs (Singapore, Thailand)
  - Internship programme (Japan)

* Capacity building of VPOs*
  - Training, Periodical evaluation

* Reducing Financial/psychological Burden*
  - Reimbursement, Awards & Recognition
  - VPOs' Coordination Center, Medical Coverage (Thailand)
  - Support Center for VPOs' activities, Compensation (Japan)

* Public Recognition*
  - Public relations (Nationally and internationally, Media, Animation, Mascot character)
  - Cooperation with municipal government
  - VPOs' Day (Thailand)

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(Japan) Cartoon & Mascot Character “Hogo-chan”
In ASEAN countries,
- Community involvement is one of the remarkable characteristics
- Volunteers bridge the gap between offenders, family members and community, and play an increasingly important role in offender rehabilitation and crime prevention
- Promotion of community corrections through further research, joint training and seminars

4. Community Corrections in Japan
   – Cooperation with Private Citizens

**Major Elements of Japanese Community Corrections**

- Police
- Prosecution
- Courts (Institutional)
- Corrections (Community Corrections)
- Rehabilitation (Community Corrections)

"Rehabilitation Services"
1. Probation
2. Parole
3. Aftercare services for discharged offenders
4. Pardons
5. Crime prevention activities
Organizational Structure of the Offender Rehabilitation Services

Ministry of Justice
- National Offender Rehabilitation Commission
- Civil Affairs Bureau
- Criminal Affairs Bureau
- Corrections Bureau
- Rehabilitation Bureau
- Human Rights Bureau
- Immigration Bureau
- Civil Affairs Bureau
- Criminal Affairs Bureau
- Corrections Bureau
- Rehabilitation Bureau
- Human Rights Bureau
- Immigration Bureau
- Probation Offices (50)
- Regional Parole Boards (8)
- Branch Probation Offices (13)
- Local Probation Offices (74)
- Volunteer Probation Officers Screening Commissions (50)

Regional Parole Boards (Regional Parole Boards (8)
- Branch Probation Offices (13)
- Local Probation Offices (74)
- Volunteer Probation Officers Screening Commissions (50)

Extensive Participation and Cooperation of Citizens in Probation

Ministry of Justice
- Rehabilitation Bureau
- Regional Parole Board
- Probation Offices

Volunteer Probation Officers (VPOs) (47,909)
Halfway Houses (103)
Women’s Association for Rehabilitation Aid (WARA) (162,612)
Big Brothers and Sisters Associations (BBS) (4,509)
Cooperative Employers (18,555)

Halfway Houses (1)
(Offenders Rehabilitation Facilities)

Map of Halfway Houses
Halfway Houses (2)  
(Offenders Rehabilitation Facilities)

- **Total 103 facilities**
- **Total Capacity 2,369**  
  (as of 1 April, 2017)
- **7,793 persons accommodated (2016)**

<table>
<thead>
<tr>
<th>Types of Residents</th>
<th>Juveniles</th>
<th>Adults</th>
<th>Male &amp; Female</th>
<th>Total</th>
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<td>2</td>
<td>18</td>
<td>68</td>
<td>88</td>
</tr>
<tr>
<td>Female</td>
<td>7</td>
<td>7</td>
<td></td>
<td>14</td>
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<td>1</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
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<td>81</td>
<td>103</td>
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